

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

Josef WEILAND

DEVICE AND METHOD FOR  
MACHINING WORKPIECES

Serial No. 10/533,108

Filed 05/27/2005

Group Art Unit: 3723

Examiner: Bryan Muller

Confirmation No.: 4794

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA. 22313-1450

Sir:

[XXX] NO FEES ARE PAYABLE WITH RESPECT TO THIS RESPONSE.

**Response to Restriction Requirement**

In response to the Office Action mailed December 31, 2008, the  
Applicant responds to the Election/Restriction requirement as follows:

Restriction is required in this application under 35 USC 121 and 372  
between the following groups:

Group 1: Claims 39-44, 46, 48-50, 52, 53, 55-76 and 78-85; and

Group 2: Claims 86-89.

The Applicant hereby elects without traverse the invention of Group 1, and respectfully  
requests an action on the merits in this regard, and that the claims of Group 2 be  
retained in the application without prejudice or disclaimer of the subject matter therein

pending the allowance of a generic claim or the filing of a divisional or continuation application.

The Applicant notes that a change of address was submitted in this case through the Office's EFS on January 4, 2009 and that the undersigned Attorney of Record will continue the prosecution of this case at the below indicated address. If the Examiner has any questions or concerns with regard to this election, the Examiner is courteously requested to contact the undersigned Attorney of Record to discuss the same.

Respectfully submitted,  
Scott A. Daniels

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